

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

STATE OF NEW JERSEY,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
RRI ENERGY MID-ATLANTIC	)	
POWER HOLDINGS, LLC,	)	
RRI ENERGY POWER	)	
GENERATION, INC., and	)	
SITHE ENERGIES, INC.,	)	
now known as Dynegy, Inc.,	)	
	)	
Defendants,	)	Civil Action
	)	No. 07-CV-5298 (JKG)
and	)	
	)	
STATE OF CONNECTICUT,	)	
	)	
Intervenor-Plaintiff,	)	
	)	
v.	)	
	)	
RRI ENERGY MID-ATLANTIC	)	
POWER HOLDINGS, LLC,	)	
RRI ENERGY POWER	)	
GENERATION, INC., and	)	
SITHE ENERGIES, INC.,	)	
now known as Dynegy, Inc.,	)	
	)	
Intervenor-Defendants.	)	
	)	

**JOINT NOTICE OF LODGING OF PROPOSED CONSENT DECREE  
FOR 45-DAY STATUTORY REVIEW PERIOD**

Plaintiffs New Jersey and Connecticut (collectively, “Plaintiffs”), and Defendants GenOn REMA, LLC (f/k/a RRI Energy Mid–Atlantic Power Holdings, LLC), GenOn Power Generation, LLC, and Sithe Energies, Inc. (collectively, “Defendants”) have agreed to the terms of a settlement in the above-captioned case, as set forth in the attached proposed Consent Decree.

The settlement resolves all of Plaintiffs' claims in this case, which was brought under the Clean Air Act, 42 U.S.C. §§ 7401 *et seq.*

The Parties are not asking the Court to approve and enter the proposed Consent Decree at this time. The citizen suit provision of the Clean Air Act includes a 45-day review period for consent judgments in cases where the United States is not a party, providing that:

No consent judgment shall be entered in an action brought under this section in which the United States is not a party prior to 45 days following the receipt of a copy of the proposed consent judgment by the Attorney General and the Administrator [of the Environmental Protection Agency] during which time the Government may submit its comments on the proposed consent judgment to the court and parties or may intervene as a matter of right.

42 U.S.C. § 7604(c)(3).

Copies of the proposed Consent Decree are being provided to the Attorney General and the EPA Administrator by counsel for Defendants by overnight mail. At the conclusion of the statutory review period, the Parties will seek an order from this Court approving and entering the Consent Decree and resolving Plaintiffs' claims or will take other appropriate action should there be material comments on the proposed Consent Decree by the United States or if the United States intervenes.

Respectfully submitted this 15th day of May, 2013.

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Generation, LLC, and Sithe Energies, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that on this day, a copy of the foregoing was filed with the Court's ECF System to be served electronically on counsel for all Parties through the Court's ECF system.

Dated: May 15, 2013

/s/ Kent Mayo  
Kent Mayo